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### REMARKS

Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

#### Status of Claims

Claims 4-5 and 18 have been previously canceled. Claim 28 has been canceled herein without prejudice or disclaimer. Accordingly, Claims 1-3, 6-17, 19-27 are now pending in this application. Claims 1-3, 6-8, 10-11, 13, 16-17, 19-22, 24-27 have been amended. It is respectfully submitted that no new matter has been added.

#### Claim Rejections

##### 35 U.S.C. § 103 Rejections

On pages 2-13 of the Office Action, the Examiner rejected Claims 1-3, 6-17, 19-24, 26, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty et al. (US Publication Number 2002/0082010) in view of Hassan et al. (US Publication Number 2003/0022670) and further in view of Barber et al. (US Publication Number 2005/0073979). The Examiner also rejected Claims 25 and 27 as being unpatentable over Koorapaty in view of Hassan. In the Office Action of January 12, 2007, the Examiner rejected then pending Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty in view of Hassan and further in view of Dunn et al. (US Patent Number 6,163,683). Applicants respectfully request that the rejections of Claims 1-3, 6-17, and 19-28 under 35 U.S.C. § 103(a) be withdrawn in view of the foregoing amendments and the remarks that follow.

Amended Claims 1 and 19 include, inter alia, "determining a current area where a station is currently situated, selecting a plurality of channels from a list comprising channels to which the station has in the past connected, wherein each of said past connected channels has past connection data associated therewith, and wherein said selecting comprises determining which of said past connected channels were connected

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to within said determined current area, and scanning said selected channels according to a scanning order determined by said past connection data.”

Amended Claims 11, 22, and 25 include, inter alia, “a processor to determine a current area where the station is currently situated and select a plurality of channels from a list comprising channels to which the station has in the past connected, wherein each of said past connected channels has past connection data associated therewith, and wherein said selecting comprises determining which of said past connected channels were connected to within said determined current area and scan said selected channels ... according to a scanning order determined by said past connection data; and a memory operably connected to said processor to store said list.”.

It is respectfully submitted that none of the Koorapaty reference, the Hassan reference, the Barber reference, and the Dunn reference teach these features nor does any combination of the four references.

Koorapaty teaches “During scanning, selected ones of the second plurality of communications channels are preferably scanned more frequently than selected others of the second plurality of communications channels in each scan. For example, the selected ones of the second plurality of wireless communications channels may have a first priority designation, while the selected others of the second plurality of wireless communications channels may have a second priority designation that is lower than the first priority designation.” (Paragraph 0073). Thus, Koorapaty teaches a method of more frequently scanning selected channels according to a priority ordering of channels.

Koorapaty teaches “Mobile phones operating in cellular systems such as TIA/EIA-136 are required to scan for acceptable service providers according to specific Intelligent Roaming (IR) procedures that are specified in TIA/EIA-136. These procedures define the order in which the mobile phone scans different channels and the priorities assigned to various service providers. The IR procedures typically use a pre-programmed database stored in the wireless terminal called the Intelligent Roaming Data Base (IRDB). The IRDB prioritizes the frequency bands and sub-bands to be scanned based on the probability of finding a preferred service provider within a band. ... The respective priority of each frequency band typically depends on the status of the service

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provider that is licensed to use that band. The status of Service Providers (SP) is generally classified into five categories: home, partner, preferred, neutral and forbidden. (Paragraphs [0039]-[0045]). Thus, Koorapaty teaches that the priority ordering of the channels is based on the classification of service providers stored in the Intelligent Roaming Database (IRDB).

In contrast, Applicants claim that the channels to be scanned are selected "from a list comprising channels to which the station has in the past connected". Koorapaty does not teach or suggest that the mobile device has connected with any of the channels in the IRDB in the past. Furthermore, Applicants claim that the channels in the list "[have] past connection data associated therewith" and that the selected channels are scanned "according to a scanning order determined by said past connection data". Koorapaty does not teach that the ordering is based on any type of data related to past connections. Instead, Koorapaty teaches that the priority ordering is based on a whether channel in the IRDB belongs to a home, partner, favored, neutral or forbidden Service Provider.

Lastly, Applicants claim that the current area where the station is currently situated is determined. Koorapaty does not teach or suggest determining where a wireless device is currently situated. Applicants further claim that the station selects channels to scan from a list of channels connected to in the past based on "which of said past connected channels were connected to within said determined current area". Even if Koorapaty taught that the channels in the IRDB were connected to in the past, Koorapaty never teaches selecting channels from the IRDB based on whether they were connected to in the past within the determined current area.

Barber teaches "A plurality of clients can be generally associated with the wireless network such that the clients are separated into one or more client groups (defining a subnetwork of the network). Each client group possesses a shared key for accessing a predetermined telecommunications network through at least one interface partitioned from the access point and using broadcast frames and encryption, the CCC can arrange the network such that clients ignore broadcast packets for other than its subnetwork." (Paragraph [0025]).

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In contrast, Applicants claim that the channels to be scanned are selected "from a list comprising channels to which the station has in the past connected". While Barber teaches that the client possesses a shared key for accessing a predetermined network, Barber does not teach or suggest that the client has connected with the wireless network nor to any of the channels associated with the wireless network in the past. Nor does Barber teach or suggest that wireless networks or channels within a wireless network are stored in a list. Furthermore, Applicants claim that the channels in the list "[have] past connection data associated therewith" and that the selected channels are scanned "according to a scanning order determined by said past connection data". Barber does not teach that the ordering is based on any type of data related to past connections. Barber instead teaches scanning methods for an access point or CCC and not scanning methods for a station, as Applicants have claimed. Regardless, the scanning method of Barber is not selective or scanned in any particular order. Barber teaches scanning "multiple channels [and] multiple frequency bands" (Paragraph [0076]), "all passing frames" (Paragraph [0078]) or "an entire frequency range" (Paragraph [0079]).

Lastly, Applicants claim that the current area where the station is currently situated is determined. Barber does not teach or suggest determining where a wireless device is currently situated. Although the Examiner has suggested in the office action that clients connected to a wireless network must inherently be within the same area, Barber never teaches determining this current area. Applicants further claim that the station selects channels to scan from a list of channels connected to in the past based on "which of said past connected channels were connected to within said determined current area". Even if Barber taught that the wireless network or the channels in the wireless network were connected to in the past, Barber never teaches selecting channels in the wireless network based on whether they were connected to in the past within the determined current area.

Hassan teaches "In a TIA/EIA-136 environment, the mobile terminal operates in a given one of the 800 MHz and 1900 MHz hyperbands, and camps on a digital control channel (DCCH) if available. Extended Broadcast Channel (E-BCCH) information indicates whether the standard bands within the current hyperband redefined configured

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to support more than customary one service provider per standard band. This information comes in the form of a Regulatory Control Indicator (RCI) included in an associated Regulatory Control Message. If the RCI indicates that the standard bands within the current hyperband are redefined, it also contains additional information about how the standard radio channels within the current hyperband are allocated to the available service providers. With this channel allocation information for the current hyperband, the mobile terminal may begin background scanning of the current hyperband for higher priority service providers, and may additionally do a background check of the other hyperband to determine the standard bands of the other hyperband are also redefined to support multiple service providers." (Paragraph [0007]-[0008]). Thus, Hassan teaches that a mobile terminal upon receiving indication that the hyperbands have been redefined, begins scanning channels for higher priority service providers.

Hassan teaches that the redefined channels are stored in the Intelligent Roaming Database (IRDB). (Paragraphs [0041], [0044], Table 5). Hassan further teaches that while scanning the IRDB "[f]or each SP with a higher priority than the current SP found within the current band, the mobile terminal 100 adds the found SP to an SP list maintained for the search (block 234). The mobile terminal 100 may opt to store full information for the found SP, such as control channel number, SOC, or SID. Note that if the found SP is a forbidden SP, the mobile terminal 100 may store such information to skip the forbidden service provider in subsequent scanning operations." (Paragraph [0053]). Thus, Hassan teaches scanning the redefined channels for higher priority service providers than the current service provider. Hassan teaches "Several categories are used to characterize service providers, and these categories in descending order of priority include: Home SP ... Partner SP ... Favored SP ... Neutrasl SP ... [and] Forbidden SP." (Paragraphs [0020]-[0025]). Thus, the priority ordering is based on the type of Service Provider.

In contrast, Applicants claim that the channels to be scanned are selected "from a list comprising channels to which the station has in the past connected". Hassan does not teach or suggest that the mobile device has connected with any of the channels in the IRDB in the past either before or after the channels have been redefined. Furthermore,

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Applicants claim that the channels in the list “[have] past connection data associated therewith” and that the selected channels are scanned “according to a scanning order determined by said past connection data”. Hassan does not teach that the ordering is based on any type of data related to past connections. Hassan instead teaches that the priority ordering is based on whether a channel in the IRDB belongs to a home, partner, favored, neutral or forbidden Service Provider.

Lastly, Applicants claim that the current area where the station is currently situated is determined. Hassan does not teach or suggest determining where a wireless device is currently situated. Applicants further claim that the station selects channels to scan from a list of channels connected to in the past based on “which of said past connected channels were connected to within said determined current area”. Even if Hassan taught that the channels in the IRDB were connected to in the past, Hassan never teaches selecting channels from the IRDB based on whether they were connected to in the past within the determined current area.

Dunn teaches “receivers may include a position locating mechanism based upon communication with earth satellites—e.g. a mechanism similar to, but perhaps not quite as precise as, present-day Global Positioning Satellite System (GPSS) devices—to determine immediate locales, and use such locale-specific information together with stored frequency lists to automatically tune to a specific frequency appropriate for maintaining reception of a virtual station's programs as local area boundaries are crossed.” (Col. 3, Lines 51-59).

In contrast, Applicants claim that the channels to be scanned are selected “from a list comprising channels to which the station has in the past connected”. Dunn does not teach or suggest that the mobile device has connected with any of the channels in the frequency list in the past. Furthermore, Applicants claim that the channels in the list “[have] past connection data associated therewith” and that the selected channels are scanned “according to a scanning order determined by said past connection data”. Dunn does not teach that the list stores any type of data related to past connections along with the channels. Furthermore, Dunn does not teach any ordering of the channels.

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Lastly, Applicants claim that the current area where the station is currently situated is determined. Applicants further claim that the station selects channels to scan from a list of channels connected to in the past based on "which of said past connected channels were connected to within said determined current area". Dunn does not teach that the channels selected based on a determination of the current area have been connected to in the past by the wireless device.

Therefore, it is respectfully submitted that Koorapaty, Barber, Hassan, and Dunn, alone or in combination, do not teach all of the limitations of Applicants' claims.

Thus, amended independent Claims 1, 11, 19, 22, and 25 cannot be considered obvious in view of Koorapaty, Hassan, Barber, Dunn or any combination thereof. Therefore, it is respectfully submitted that amended independent Claims 1, 11, 19, 22 and 25 are allowable.

Each of Claims 2-3, 6-10, 12-17, 20-21, 23-24, and 26-27 depends from one of amended independent Claims 1, 11, 19, 22 and 25 and therefore includes all the limitations of one of these claims as well as further distinguishing features. Thus, claims 2-3, 6-10, 12-17, 20-21, 23-24, and 26-27 are likewise allowable. Claim 28 has been canceled herein thereby rendering its rejection moot. Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-3, 6-17, and 19-28 under 35 U.S.C. § 103(a) as being unpatentable over Koorapaty in view of Hassan and further in view of Barber.

### CONCLUSION

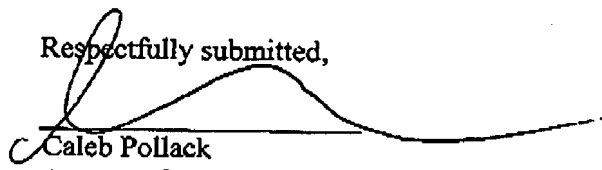
In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

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Except for the fee for the Request for Continued Examination, being paid separately, no fees are believed to be due in connection with this paper. However if any such fees are due, please change any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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